



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

HEARING EXAMINER STAFF SUMMARY

**PROJECT NO. R2014-01529-(4)
VESTING TENTATIVE PARCEL MAP NO. 072916
CONDITIONAL USE PERMIT NO. T201400062
ZONE CHANGE NO. T201400008
PARKING PERMIT NO. T201400006
ENVIRONMENTAL ASSESSMENT NO. T201400121**

PROJECT DESCRIPTION

The Project applicant proposes to subdivide 14.85 acres to create three parcels developed with two hotels and 155 commercial retail condominium units within four, detached structures located at 18800 Railroad Avenue within unincorporated Los Angeles County. The proposed industrial lot developed with commercial retail condominium units would occupy approximately 8.75 net acres of the Project site. The proposed commercial lots developed with hotels would occupy approximately 5.31 net acres of the Project site.

The Project would require approximately 184,904 cubic yards of cut material, which includes approximately 13,261 cubic yards of reductions and additions due to subsidence, shrinkage and additions, 41,109 cubic yards of export off site and 130,534 cubic yards of fill material on the site for a total of approximately 356,547 cubic yards of earth movement for site preparation and 322,619 cubic yards of cut, 274,318 cubic yards of fill and 48,301 cubic yards of earth material for off-site export, totaling 645,238 cubic yards of earth movement associated with further development and construction of the site. The project proposes a grading total volume of approximately 1,001,785 cubic yards.

The proposed improved areas of the Project site would include 129,926 square feet of retail, restaurant and office space, 1,156 vehicle parking spaces, 320,880 square feet and 477 rooms of hotel space within two separate buildings of six stories each and an access road.

The Project applicant also proposes to increase runoff and debris-producing areas, change the current drainage pattern of the Project site, and impact the capacity of existing storm drain facilities within the City of Industry and the unincorporated County of Los Angeles. The Project site would also be planted with indigenous native trees and shrubs and other drought tolerant landscaping.

REQUIRED ENTITLEMENTS

- Zone change T201400008 from zone M-1.5-BE (Restricted Heavy Manufacturing, Billboard Exclusion) to zone C-3-DP (Unlimited Commercial-Development Program) for hotel uses on Parcels 2 and 3.
- Vesting tentative parcel map PM072916 to create three parcels and 155 commercial condominium units in conjunction with the proposed retail shopping center and hotels.
- Parking permit T201400006 to allow approximately 342 fewer vehicle parking spaces than the approximate required 1,503 vehicle parking spaces for all proposed uses, and to allow use of 75 offsite vehicle parking spaces located on a 0.79-acre parcel within City of Industry municipal boundary.
- Conditional use permit ("CUP") T201400062 to authorize:
 - Development Program associated with the proposed Zone Change for hotel uses on proposed parcels 2 and 3;
 - New commercial center within proposed parcel 1 as required by the Rowland Heights Community Plan;
 - Structures to exceed the maximum height of 45 feet above grade by 35 feet for a total of 80 feet for a new hotel on proposed parcel 2 and by 27 feet 4 inches for a total of 72 feet 4 inches for a new hotel on proposed parcel 3;
 - On-site grading involving approximately 1,001,785 cubic yards of cut and fill with 89,410 cubic yards of export; and
 - Sale of a full line of alcoholic beverages for on-site consumption in conjunction with normal operations of the two proposed hotels
- Environmental Assessment No. T201400121: The Initial Study determined that an Environmental Impact Report ("EIR") was required. A Draft EIR has been prepared pursuant to CEQA reporting requirements.

LOCATION AND ACCESS

The Project site is located on the 18800 Railroad Street, Rowland Heights, CA. Access to the Project site is provided via Gale Avenue.

SITE DESCRIPTION

The majority of the Project site is located within the unincorporated community of Rowland Heights, adjacent to the City of Industry and within a concentration of light industrial and commercial uses. The northernmost portion of the Project site is a vacated segment of Railroad Street south of the Union Pacific Railroad/MetroLink tracks, entirely within the City of Industry. The site has been used for agricultural cultivation through the mid-1990's. The site has gently rolling topography and a maximum elevation differential of approximately 42 feet between its high point near the southeast corner at Gale Avenue and its low point in the northwest corner within the storm drain channel.

The site fronts along Gale Avenue and currently has no structures is developed with a three-lane detour road constructed in 2013 by the Alameda Corridor East (ACE) construction authority project. ACE construction authority is a single purpose construction authority created by the San Gabriel Valley Council of Governments in 1998 to mitigate the impacts of significant increases in rail traffic over 70 miles of mainline railroad in the San Gabriel Valley. The Nogales Street Grade Separation and Roadway Widening Project is to construct a six-lane roadway underpass and double track railway bridge to completely grade separate Nogales Street from the railroad between San Jose Avenue and Gale Avenue/Walnut Drive North. Gale Avenue and Walnut Drive North near Nogales Street will be widened to two lanes in each direction. Construction of the Nogales Street Grade Separation project necessitated the temporary easement known as Charlie Road on the Project site. The roadway averages 40 feet in width, with a traffic signal at its intersection with Gale Avenue and warning devices/flashing lights at the railroad track crossing. The temporary road also has a paved pedestrian sidewalk along its eastern side and a dual concrete box culvert/bridge crossing for the on-site storm drain. A construction staging area and temporary parking stalls were established on the Project site at the east property line due to the need to relocate parking from the adjacent parcel because of the ACE project construction activity. The ACE project construction is anticipated to be complete in Summer 2016. Upon completion, the ACE authority will demolish the improvements and restore the Project site to its pre-construction, vacant condition.

A partially channelized storm drain extends from near the Project site's northeast corner, where it receives upstream flows from the County's 90-inch underground storm drain, to its northwest corner, where it discharges into the City of Industry's 94-inch underground storm drain. The storm drain currently supports willows and other riparian vegetation. It is primarily cleared as required by the County of Los Angeles and City of Industry Public Works Departments to maintain storm flow capacity. Other vegetation on the project site includes non-native grasses, brush and scattered trees, including palms, near the eastern edge of the property.

The Project site is located within the concentration of light industrial and commercial uses centered on Nogales Street near its interchange exit with SR-60. This concentration is part of an approximately 14-mile-long corridor of predominantly industrial land uses, most of it contained within the City of Industry. The City of Industry abuts the Project site. This jurisdictional border between the unincorporated County and the City of Industry wraps around the Project site to the north and west. The site is bordered on the west within the City of Industry by the Concourse Business Park, which houses office and wholesale commercial and light industrial operations. A Best Western Plus Executive Inn hotel is located directly across Gale Avenue. Mandarin Plaza Shopping Center is located to the southeast. The Project site is bordered on the east by the Rowland Heights Plaza Shopping Center. The shopping center's western driveway, accessed from Gale Avenue, abuts the Project site's eastern boundary. Properties north of the project site are located within the City of Industry and include Nogales Industrial

Parks. The areas directly adjacent to the Project site are mostly developed with little variations in topography.

ENVIRONMENTAL DETERMINATION

The Department of Regional Planning ("Department") determined by way of an Initial Study and identified in the Notice of Preparation sent to agencies, that an Environmental Impact Report ("EIR") was necessary for the Project. The areas of potential environmental impact addressed in the Draft EIR ("DEIR") include the following:

- Air Quality
- Land Use & Planning
- Noise
- Transportation & Traffic
- Utilities and Service Systems, Water Supply

Significant and Unavoidable Impacts

As identified in the DEIR, significant unavoidable impacts could occur as a result of Project impacts. Based on the analysis contained in Chapter 4.0, Environmental Impact Analysis, and, after implementation of the required mitigation measures as enforced by the Project's Mitigation Monitoring and Reporting Program, the Project would result in significant and unavoidable impacts to the environment as follows:

- Operational air quality impacts
- Operational traffic impacts at two intersections with Project plus cumulative traffic conditions

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the Hearing Examiner Hearing by mail, newspaper, property posting, library posting and on the Department's website. Newspaper notices were published in the Los Angeles Time and La Opinion on January 23, 2016. Notices to property owners located within a 500-foot radius of the property boundaries, and to two local libraries, were mailed on January 25, 2016. Notices were verified to be posted on the subject property and were made available on the Department's website on January 25, 2016. On January 26, 2016, a Notice of Completion and Availability ("NOC-NOA") of a DEIR was posted at the County Recorder's office. The NOC-NOA was sent by mail to required agencies including the State Clearing House and other interested parties. The NOC-NOA is also posted on the Project site and on the Department's website.

PREVIOUS CASES/ZONING HISTORY

The applications for a CUP, variance (VAR) and environmental review for a retail, restaurant and entertainment project were filed in 2008 and later withdrawn. A

temporary parking lot was approved for the adjacent shopping center with plot plan approval RPP201101051.

STAFF EVALUATION

Project consistency with the Rowland Heights Community Plan, compliance with the County Zoning Ordinance and development standards, neighborhood impact and land use compatibility, and evaluation of the applicant's ability to meet all requirements for a Vesting Tentative Parcel Map, Zone Change, Conditional Use Permit, and Parking Permit, and corresponding burdens of proof as applicable, will be determined subsequent to the Regional Planning Commission public hearing. The Hearing Examiner Public hearing is established primarily to receive public testimony on the merits of the Project as analyzed in the Draft EIR prior to Project consideration by the Regional Planning Commission ("Planning Commission") and Board of Supervisors ("Board") at a later date.

Project Issues

A number of development issues regarding the proposed project were raised by public agencies in response to the Notice of Preparation of an EIR and through the agency Screencheck DEIR review process. These issues have been addressed in the DEIR.

Several issues have been identified as areas of controversy through the public review process regarding the Initial Study/Notice of Preparation, Scoping Meeting, and the current DEIR public review. Comments include issues related to construction and project operational noise, construction and project operational air quality, construction and operational traffic, and water connection and service.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

County Department comments and conditions will be finalized subsequent to the Hearing Examiner public hearing and prior to consideration by the Planning Commission.

PUBLIC COMMENTS

No members of the public provided written comments regarding the project at the time of this report.

REMAINING PROCEDURES

Since the DEIR public comment period does not close until March 11, 2016, mitigation measures and draft conditions pertaining to the Project will be completed following the Hearing Examiner public hearing. Once the DEIR comment period closes, the Department will review public comments received, will draft responses to those comments, and draft the Final EIR and Mitigation Monitoring and Reporting Program. Staff will also prepare California Environmental Quality Act ("CEQA") Findings, draft Findings and Conditions pertaining to the Project related entitlements, and submit documentation to the Planning Commission for consideration prior to the Planning Commission hearing to be set at a future date. The Commission will recommend

approval or denial of the entitlements requested. The Board of Supervisors will also hold a hearing, at which it will approve or deny the entitlements.

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